

FIRST REGULAR SESSION

SENATE BILL NO. 82

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0319S.011

AN ACT

To repeal sections 301.010, 301.020, 301.196, and 301.227, RSMo, and section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session and section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 301.010, 301.020, 301.196, and 301.227, RSMo, and
2 section 301.190 as enacted by house committee substitute for senate substitute
3 no. 2 for senate committee substitute for senate bill no. 583, ninety-third general
4 assembly, second regular session and section 301.190 as enacted by senate
5 substitute for senate committee substitute for house bill no. 487 merged with
6 senate bill no. 488, ninety-third general assembly, first regular session, are
7 repealed and five new sections enacted in lieu thereof, to be known as sections
8 301.010, 301.020, 301.190, 301.196, and 301.227, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120
2 to 304.260, RSMo, and sections 307.010 to 307.175, RSMo, the following terms
3 mean:

4 (1) "All-terrain vehicle", any motorized vehicle manufactured and used
5 exclusively for off-highway use which is fifty inches or less in width, with an
6 unladen dry weight of one thousand pounds or less, traveling on three, four or
7 more low pressure tires, with a seat designed to be straddled by the operator, or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

8 with a seat designed to carry more than one person, and handlebars for steering
9 control;

10 (2) "Automobile transporter", any vehicle combination designed and used
11 specifically for the transport of assembled motor vehicles;

12 (3) "Axle load", the total load transmitted to the road by all wheels whose
13 centers are included between two parallel transverse vertical planes forty inches
14 apart, extending across the full width of the vehicle;

15 (4) "Boat transporter", any vehicle combination designed and used
16 specifically to transport assembled boats and boat hulls;

17 (5) "Body shop", a business that repairs physical damage on motor vehicles
18 that are not owned by the shop or its officers or employees by mending,
19 straightening, replacing body parts, or painting;

20 (6) "Bus", a motor vehicle primarily for the transportation of a driver and
21 eight or more passengers but not including shuttle buses;

22 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used
23 for carrying freight and merchandise, or more than eight passengers but not
24 including vanpools or shuttle buses;

25 (8) "Cotton trailer", a trailer designed and used exclusively for
26 transporting cotton at speeds less than forty miles per hour from field to field or
27 from field to market and return;

28 (9) "Dealer", any person, firm, corporation, association, agent or subagent
29 engaged in the sale or exchange of new, used or reconstructed motor vehicles or
30 trailers;

31 (10) "Director" or "director of revenue", the director of the department of
32 revenue;

33 (11) "Driveaway operation":

34 (a) The movement of a motor vehicle or trailer by any person or motor
35 carrier other than a dealer over any public highway, under its own power singly,
36 or in a fixed combination of two or more vehicles, for the purpose of delivery for
37 sale or for delivery either before or after sale;

38 (b) The movement of any vehicle or vehicles, not owned by the transporter,
39 constituting the commodity being transported, by a person engaged in the
40 business of furnishing drivers and operators for the purpose of transporting
41 vehicles in transit from one place to another by the driveaway or towaway
42 methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully
44 engaged in the business of transporting or delivering vehicles that are not the

45 person's own and vehicles of a type otherwise required to be registered, by the
46 driveaway or towaway methods, from a point of manufacture, assembly or
47 distribution or from the owner of the vehicles to a dealer or sales agent of a
48 manufacturer or to any consignee designated by the shipper or consignor;

49 (12) "Dromedary", a box, deck, or plate mounted behind the cab and
50 forward of the fifth wheel on the frame of the power unit of a truck
51 tractor-semitrailer combination. A truck tractor equipped with a dromedary may
52 carry part of a load when operating independently or in a combination with a
53 semitrailer;

54 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

55 (14) "Fleet", any group of ten or more motor vehicles owned by the same
56 owner;

57 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

58 (16) "Fullmount", a vehicle mounted completely on the frame of either the
59 first or last vehicle in a saddlemount combination;

60 (17) "Gross weight", the weight of vehicle and/or vehicle combination
61 without load, plus the weight of any load thereon;

62 (18) "Hail-damaged vehicle", any vehicle, the body of which has become
63 dented as the result of the impact of hail;

64 (19) "Highway", any public thoroughfare for vehicles, including state
65 roads, county roads and public streets, avenues, boulevards, parkways or alleys
66 in any municipality;

67 (20) "Improved highway", a highway which has been paved with gravel,
68 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall
69 have a hard, smooth surface;

70 (21) "Intersecting highway", any highway which joins another, whether or
71 not it crosses the same;

72 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon
73 the highways and has no resale value except as a source of parts or scrap, and
74 shall not be titled or registered;

75 (23) "Kit vehicle", a motor vehicle assembled by a person other than a
76 generally recognized manufacturer of motor vehicles by the use of a glider kit or
77 replica purchased from an authorized manufacturer and accompanied by a
78 manufacturer's statement of origin;

79 (24) "Land improvement contractors' commercial motor vehicle", any
80 not-for-hire commercial motor vehicle the operation of which is confined to:

81 (a) An area that extends not more than a radius of one hundred miles

82 from its home base of operations when transporting its owner's machinery,
83 equipment, or auxiliary supplies to or from projects involving soil and water
84 conservation, or to and from equipment dealers' maintenance facilities for
85 maintenance purposes; or

86 (b) An area that extends not more than a radius of fifty miles from its
87 home base of operations when transporting its owner's machinery, equipment, or
88 auxiliary supplies to or from projects not involving soil and water conservation.
89 Nothing in this subdivision shall be construed to prevent any motor vehicle from
90 being registered as a commercial motor vehicle or local commercial motor vehicle;

91 (25) "Local commercial motor vehicle", a commercial motor vehicle whose
92 operations are confined solely to a municipality and that area extending not more
93 than fifty miles therefrom, or a commercial motor vehicle whose property-carrying
94 operations are confined solely to the transportation of property owned by any
95 person who is the owner or operator of such vehicle to or from a farm owned by
96 such person or under the person's control by virtue of a landlord and tenant lease;
97 provided that any such property transported to any such farm is for use in the
98 operation of such farm;

99 (26) "Local log truck", a commercial motor vehicle which is registered
100 pursuant to this chapter to operate as a motor vehicle on the public highways of
101 this state, used exclusively in this state, used to transport harvested forest
102 products, operated solely at a forested site and in an area extending not more
103 than a fifty-mile radius from such site, carries a load with dimensions not in
104 excess of twenty-five cubic yards per two axles with dual wheels, and when
105 operated on the national system of interstate and defense highways described in
106 Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed
107 the weight limits of section 304.180, RSMo, does not have more than four axles,
108 and does not pull a trailer which has more than two axles. Harvesting equipment
109 which is used specifically for cutting, felling, trimming, delimiting, debarking,
110 chipping, skidding, loading, unloading, and stacking may be transported on a local
111 log truck. A local log truck may not exceed the limits required by law, however,
112 if the truck does exceed such limits as determined by the inspecting officer, then
113 notwithstanding any other provisions of law to the contrary, such truck shall be
114 subject to the weight limits required by such sections as licensed for eighty
115 thousand pounds;

116 (27) "Local log truck tractor", a commercial motor vehicle which is
117 registered under this chapter to operate as a motor vehicle on the public
118 highways of this state, used exclusively in this state, used to transport harvested

119 forest products, operated solely at a forested site and in an area extending not
120 more than a fifty-mile radius from such site, operates with a weight not exceeding
121 twenty-two thousand four hundred pounds on one axle or with a weight not
122 exceeding forty-four thousand eight hundred pounds on any tandem axle, and
123 when operated on the national system of interstate and defense highways
124 described in Title 23, Section 103(e) of the United States Code, such vehicle does
125 not exceed the weight limits contained in section 304.180, RSMo, and does not
126 have more than three axles and does not pull a trailer which has more than two
127 axles. Violations of axle weight limitations shall be subject to the load limit
128 penalty as described for in sections 304.180 to 304.220, RSMo;

129 (28) "Local transit bus", a bus whose operations are confined wholly within
130 a municipal corporation, or wholly within a municipal corporation and a
131 commercial zone, as defined in section 390.020, RSMo, adjacent thereto, forming
132 a part of a public transportation system within such municipal corporation and
133 such municipal corporation and adjacent commercial zone;

134 (29) "Log truck", a vehicle which is not a local log truck or local log truck
135 tractor and is used exclusively to transport harvested forest products to and from
136 forested sites which is registered pursuant to this chapter to operate as a motor
137 vehicle on the public highways of this state for the transportation of harvested
138 forest products;

139 (30) "Major component parts", the rear clip, cowl, frame, body, cab,
140 front-end assembly, and front clip, as those terms are defined by the director of
141 revenue pursuant to rules and regulations or by illustrations;

142 (31) "Manufacturer", any person, firm, corporation or association engaged
143 in the business of manufacturing or assembling motor vehicles, trailers or vessels
144 for sale;

145 (32) "Mobile scrap processor", a business located in Missouri or any other
146 state that comes onto a salvage site and crushes motor vehicles and parts for
147 transportation to a shredder or scrap metal operator for recycling;

148 (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957,
149 which receives a new, rebuilt or used engine, and which used the number stamped
150 on the original engine as the vehicle identification number;

151 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively
152 upon tracks, except farm tractors;

153 (35) "Motor vehicle primarily for business use", any vehicle other than a
154 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor
155 vehicle licensed for over twelve thousand pounds;

- 156 (a) Offered for hire or lease; or
- 157 (b) The owner of which also owns ten or more such motor vehicles;
- 158 (36) "Motorcycle", a motor vehicle operated on two wheels;
- 159 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having
- 160 an automatic transmission and a motor with a cylinder capacity of not more than
- 161 fifty cubic centimeters, which produces less than three gross brake horsepower,
- 162 and is capable of propelling the device at a maximum speed of not more than
- 163 thirty miles per hour on level ground;
- 164 (38) "Motortricycle", a motor vehicle operated on three wheels, including
- 165 a motorcycle while operated with any conveyance, temporary or otherwise,
- 166 requiring the use of a third wheel. A motortricycle shall not be included in the
- 167 definition of all-terrain vehicle;
- 168 (39) "Municipality", any city, town or village, whether incorporated or not;
- 169 (40) "Nonresident", a resident of a state or country other than the state
- 170 of Missouri;
- 171 (41) "Non-USA-std motor vehicle", a motor vehicle not originally
- 172 manufactured in compliance with United States emissions or safety standards;
- 173 (42) "Operator", any person who operates or drives a motor vehicle;
- 174 (43) "Owner", any person, firm, corporation or association, who holds the
- 175 legal title to a vehicle or in the event a vehicle is the subject of an agreement for
- 176 the conditional sale or lease thereof with the right of purchase upon performance
- 177 of the conditions stated in the agreement and with an immediate right of
- 178 possession vested in the conditional vendee or lessee, or in the event a mortgagor
- 179 of a vehicle is entitled to possession, then such conditional vendee or lessee or
- 180 mortgagor shall be deemed the owner for the purpose of this law;
- 181 (44) "Public garage", a place of business where motor vehicles are housed,
- 182 stored, repaired, reconstructed or repainted for persons other than the owners or
- 183 operators of such place of business;
- 184 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned
- 185 by the rebuilder, but does not include certificated common or contract carriers of
- 186 persons or property;
- 187 (46) "Reconstructed motor vehicle", a vehicle that is altered from its
- 188 original construction by the addition or substitution of two or more new or used
- 189 major component parts, excluding motor vehicles made from all new parts, and
- 190 new multistage manufactured vehicles;
- 191 (47) "Recreational motor vehicle", any motor vehicle designed, constructed
- 192 or substantially modified so that it may be used and is used for the purposes of

193 temporary housing quarters, including therein sleeping and eating facilities which
194 are either permanently attached to the motor vehicle or attached to a unit which
195 is securely attached to the motor vehicle. Nothing herein shall prevent any motor
196 vehicle from being registered as a commercial motor vehicle if the motor vehicle
197 could otherwise be so registered;

198 (48) "Rollback or car carrier", any vehicle specifically designed to transport
199 wrecked, disabled or otherwise inoperable vehicles, when the transportation is
200 directly connected to a wrecker or towing service;

201 (49) "Saddlemount combination", a combination of vehicles in which a
202 truck or truck tractor tows one or more trucks or truck tractors, each connected
203 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"
204 is a mechanism that connects the front axle of the towed vehicle to the frame or
205 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
206 connection. When two vehicles are towed in this manner the combination is
207 called a "double saddlemount combination". When three vehicles are towed in
208 this manner, the combination is called a "triple saddlemount combination";

209 (50) "Salvage dealer and dismantler", a business that dismantles used
210 motor vehicles for the sale of the parts thereof, and buys and sells used motor
211 vehicle parts and accessories;

212 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

213 (a) **[Has been] Was damaged during a year that is no more than**
214 **three years after the manufacturer's model year designation for such**
215 **vehicle** to the extent that the total cost of repairs to rebuild or reconstruct the
216 vehicle to its condition immediately before it was damaged for legal operation on
217 the roads or highways exceeds **[seventy-five] eighty** percent of the fair market
218 value of the vehicle immediately preceding the time it was damaged;

219 (b) By reason of condition or circumstance, has been declared salvage,
220 either by its owner, or by a person, firm, corporation, or other legal entity
221 exercising the right of security interest in it;

222 (c) Has been declared salvage by an insurance company as a result of
223 settlement of a claim **[for loss due to damage or theft]**;

224 (d) Ownership of which is evidenced by a salvage title; or

225 (e) Is abandoned property which is titled pursuant to section 304.155,
226 RSMo, or section 304.157, RSMo, and designated with the words
227 "salvage/abandoned property".

228 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the
229 cost of repairing, replacing, **or damage as a result of hail**, or reinstalling

230 inflatable safety restraints, tires, sound systems, or any sales tax on parts or
231 materials to rebuild or reconstruct the vehicle. For purposes of this definition,
232 "fair market value" means the retail value of a motor vehicle as:

233 a. Set forth in a current edition of any nationally recognized compilation
234 of retail values, including automated databases, or from publications commonly
235 used by the automotive and insurance industries to establish the values of motor
236 vehicles;

237 b. Determined pursuant to a market survey of comparable vehicles with
238 regard to condition and equipment; and

239 c. Determined by an insurance company using any other procedure
240 recognized by the insurance industry, including market surveys, that is applied
241 by the company in a uniform manner;

242 (52) "School bus", any motor vehicle used solely to transport students to
243 or from school or to transport students to or from any place for educational
244 purposes;

245 (53) "Shuttle bus", a motor vehicle used or maintained by any person,
246 firm, or corporation as an incidental service to transport patrons or customers of
247 the regular business of such person, firm, or corporation to and from the place of
248 business of the person, firm, or corporation providing the service at no fee or
249 charge. Shuttle buses shall not be registered as buses or as commercial motor
250 vehicles;

251 (54) "Special mobile equipment", every self-propelled vehicle not designed
252 or used primarily for the transportation of persons or property and incidentally
253 operated or moved over the highways, including farm equipment, implements of
254 husbandry, road construction or maintenance machinery, ditch-digging apparatus,
255 stone crushers, air compressors, power shovels, cranes, graders, rollers,
256 well-drillers and wood-sawing equipment used for hire, asphalt spreaders,
257 bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
258 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag
259 lines, concrete pump trucks, rock-drilling and earth-moving equipment. This
260 enumeration shall be deemed partial and shall not operate to exclude other such
261 vehicles which are within the general terms of this section;

262 (55) "Specially constructed motor vehicle", a motor vehicle which shall not
263 have been originally constructed under a distinctive name, make, model or type
264 by a manufacturer of motor vehicles. The term "specially constructed motor
265 vehicle" includes kit vehicles;

266 (56) "Stinger-steered combination", a truck tractor-semitrailer wherein the

267 fifth wheel is located on a drop frame located behind and below the rearmost axle
268 of the power unit;

269 (57) "Tandem axle", a group of two or more axles, arranged one behind
270 another, the distance between the extremes of which is more than forty inches
271 and not more than ninety-six inches apart;

272 (58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor
273 vehicle designed for drawing other vehicles, but not for the carriage of any load
274 when operating independently. When attached to a semitrailer, it supports a part
275 of the weight thereof;

276 (59) "Trailer", any vehicle without motive power designed for carrying
277 property or passengers on its own structure and for being drawn by a
278 self-propelled vehicle, except those running exclusively on tracks, including a
279 semitrailer or vehicle of the trailer type so designed and used in conjunction with
280 a self-propelled vehicle that a considerable part of its own weight rests upon and
281 is carried by the towing vehicle. The term "trailer" shall not include cotton
282 trailers as defined in subdivision (8) of this section and shall not include
283 manufactured homes as defined in section 700.010, RSMo;

284 (60) "Truck", a motor vehicle designed, used, or maintained for the
285 transportation of property;

286 (61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in
287 which the two trailing units are connected with a B-train assembly which is a
288 rigid frame extension attached to the rear frame of a first semitrailer which
289 allows for a fifth-wheel connection point for the second semitrailer and has one
290 less articulation point than the conventional "A dolly" connected truck-tractor
291 semitrailer-trailer combination;

292 (62) "Truck-trailer boat transporter combination", a boat transporter
293 combination consisting of a straight truck towing a trailer using typically a ball
294 and socket connection with the trailer axle located substantially at the trailer
295 center of gravity rather than the rear of the trailer but so as to maintain a
296 downward force on the trailer tongue;

297 (63) "Used parts dealer", a business that buys and sells used motor vehicle
298 parts or accessories, but not including a business that sells only new,
299 remanufactured or rebuilt parts. "Business" does not include isolated sales at a
300 swap meet of less than three days;

301 (64) "Vanpool", any van or other motor vehicle used or maintained by any
302 person, group, firm, corporation, association, city, county or state agency, or any
303 member thereof, for the transportation of not less than eight nor more than

304 forty-eight employees, per motor vehicle, to and from their place of employment;
305 however, a vanpool shall not be included in the definition of the term "bus" or
306 "commercial motor vehicle" as defined by subdivisions (6) and (7) of this section,
307 nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by
308 section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing
309 arrangements, recreational, personal, or maintenance uses constitute an
310 unlicensed use of the motor vehicle, unless used for monetary profit other than
311 for use in a ride-sharing arrangement;

312 (65) "Vehicle", any mechanical device on wheels, designed primarily for
313 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn
314 by horses or human power, or vehicles used exclusively on fixed rails or tracks,
315 or cotton trailers or motorized wheelchairs operated by handicapped persons;

316 (66) "Wrecker" or "tow truck", any emergency commercial vehicle
317 equipped, designed and used to assist or render aid and transport or tow disabled
318 or wrecked vehicles from a highway, road, street or highway rights-of-way to a
319 point of storage or repair, including towing a replacement vehicle to replace a
320 disabled or wrecked vehicle;

321 (67) "Wrecker or towing service", the act of transporting, towing or
322 recovering with a wrecker, tow truck, rollback or car carrier any vehicle not
323 owned by the operator of the wrecker, tow truck, rollback or car carrier for which
324 the operator directly or indirectly receives compensation or other personal gain.

301.020. 1. Every owner of a motor vehicle or trailer, which shall be
2 operated or driven upon the highways of this state, except as herein otherwise
3 expressly provided, shall annually file, by mail or otherwise, in the office of the
4 director of revenue, an application for registration on a blank to be furnished by
5 the director of revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered,
7 including the name of the manufacturer, the vehicle identification number, the
8 amount of motive power of the motor vehicle, stated in figures of horsepower and
9 whether the motor vehicle is to be registered as a motor vehicle primarily for
10 business use as defined in section 301.010;

11 (2) The name, the applicant's identification number and address of the
12 owner of such motor vehicle or trailer;

13 (3) The gross weight of the vehicle and the desired load in pounds if the
14 vehicle is a commercial motor vehicle or trailer.

15 2. If the vehicle is a motor vehicle primarily for business use as defined
16 in section 301.010 and if such vehicle is five years of age or less, the director of

17 revenue shall retain the odometer information provided in the vehicle inspection
18 report, and provide for prompt access to such information, together with the
19 vehicle identification number for the motor vehicle to which such information
20 pertains, for a period of five years after the receipt of such information. This
21 section shall not apply unless:

22 (1) The application for the vehicle's certificate of ownership was submitted
23 after July 1, 1989; and

24 (2) The certificate was issued pursuant to a manufacturer's statement of
25 origin.

26 3. If the vehicle is any motor vehicle other than a motor vehicle primarily
27 for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or
28 any commercial motor vehicle licensed for over twelve thousand pounds and if
29 such motor vehicle is five years of age or less, the director of revenue shall retain
30 the odometer information provided in the vehicle inspection report, and provide
31 for prompt access to such information, together with the vehicle identification
32 number for the motor vehicle to which such information pertains, for a period of
33 five years after the receipt of such information. This subsection shall not apply
34 unless:

35 (1) The application for the vehicle's certificate of ownership was submitted
36 after July 1, 1990; and

37 (2) The certificate was issued pursuant to a manufacturer's statement of
38 origin.

39 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the
42 owner or lienholder shall surrender the certificate of ownership. The owner shall
43 make an application for a new certificate of ownership, pay the required title fee,
44 and obtain the vehicle examination certificate required pursuant to subsection 9
45 of section 301.190. If an insurance company [which] pays a claim on a salvage
46 vehicle as defined in section 301.010 and the [insured is retaining ownership of]
47 **owner retains** the vehicle, as prior salvage, the vehicle shall only be required
48 to meet the examination requirements under and pursuant to subsection 10 of
49 section 301.190. Notarized bills of sale along with a copy of the front and back
50 of the certificate of ownership for all major component parts installed on the
51 vehicle and invoices for all essential parts which are not defined as major
52 component parts shall accompany the application for a new certificate of
53 ownership. If the vehicle is a specially constructed motor vehicle, as defined in

54 section 301.010, two pictures of the vehicle shall be submitted with the
55 application. If the vehicle is a kit vehicle, the applicant shall submit the invoice
56 and the manufacturer's statement of origin on the kit. If the vehicle requires the
57 issuance of a special number by the director of revenue or a replacement vehicle
58 identification number, the applicant shall submit the required application and
59 application fee. All applications required under this subsection shall be submitted
60 with any applicable taxes which may be due on the purchase of the vehicle or
61 parts. The director of revenue shall appropriately designate "Reconstructed Motor
62 Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially
63 Constructed Motor Vehicle" on the current and all subsequent issues of the
64 certificate of ownership of such vehicle.

65 5. Every insurance company [which] **that** pays a claim for repair of a
66 motor vehicle which as the result of such repairs becomes a reconstructed motor
67 vehicle as defined in section 301.010 or [which] **that** pays a claim on a salvage
68 vehicle as defined in section 301.010 and the [insured] **owner** is retaining
69 [ownership of] the vehicle, shall in writing notify [the claimant, if he is] the
70 owner of the vehicle, and **in a first party claim**, the lienholder if a lien is in
71 effect, that he is required to surrender the certificate of ownership, and the
72 documents and fees required pursuant to subsection 4 of this section to obtain a
73 prior salvage motor vehicle certificate of ownership or documents and fees as
74 otherwise required by law to obtain a salvage certificate of ownership, from the
75 director of revenue. The insurance company shall within thirty days of the
76 payment of such claims report to the director of revenue the name and address
77 of such [claimant] **owner**, the year, make, model, vehicle identification number,
78 and license plate number of the vehicle, and the date of loss and payment.

79 6. Anyone who fails to comply with the requirements of this section shall
80 be guilty of a class B misdemeanor.

81 7. An applicant for registration may make a donation of one dollar to
82 promote a blindness education, screening and treatment program. The director
83 of revenue shall collect the donations and deposit all such donations in the state
84 treasury to the credit of the blindness education, screening and treatment
85 program fund established in section 192.935, RSMo. Moneys in the blindness
86 education, screening and treatment program fund shall be used solely for the
87 purposes established in section 192.935, RSMo, except that the department of
88 revenue shall retain no more than one percent for its administrative costs. The
89 donation prescribed in this subsection is voluntary and may be refused by the
90 applicant for registration at the time of issuance or renewal. The director shall

91 inquire of each applicant at the time the applicant presents the completed
92 application to the director whether the applicant is interested in making the one
93 dollar donation prescribed in this subsection.

94 8. An applicant for registration may make a donation of one dollar to
95 promote an organ donor program. The director of revenue shall collect the
96 donations and deposit all such donations in the state treasury to the credit of the
97 organ donor program fund as established in sections 194.297 to 194.304,
98 RSMo. Moneys in the organ donor fund shall be used solely for the purposes
99 established in sections 194.297 to 194.304, RSMo, except that the department of
100 revenue shall retain no more than one percent for its administrative costs. The
101 donation prescribed in this subsection is voluntary and may be refused by the
102 applicant for registration at the time of issuance or renewal. The director shall
103 inquire of each applicant at the time the applicant presents the completed
104 application to the director whether the applicant is interested in making the one
105 dollar donation prescribed in this subsection.

301.190. 1. No certificate of registration of any motor vehicle or trailer,
2 or number plate therefor, shall be issued by the director of revenue unless the
3 applicant therefor shall make application for and be granted a certificate of
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence
5 that such certificate has been previously issued to the applicant for such motor
6 vehicle or trailer. Application shall be made within thirty days after the
7 applicant acquires the motor vehicle or trailer upon a blank form furnished by the
8 director of revenue and shall contain the applicant's identification number, a full
9 description of the motor vehicle or trailer, the vehicle identification number, and
10 the mileage registered on the odometer at the time of transfer of ownership, as
11 required by section 407.536, RSMo, together with a statement of the applicant's
12 source of title and of any liens or encumbrances on the motor vehicle or trailer,
13 provided that for good cause shown the director of revenue may extend the period
14 of time for making such application.

15 2. The director of revenue shall use reasonable diligence in ascertaining
16 whether the facts stated in such application are true and shall, to the extent
17 possible without substantially delaying processing of the application, review any
18 odometer information pertaining to such motor vehicle that is accessible to the
19 director of revenue. If satisfied that the applicant is the lawful owner of such
20 motor vehicle or trailer, or otherwise entitled to have the same registered in his
21 name, the director shall thereupon issue an appropriate certificate over his
22 signature and sealed with the seal of his office, procured and used for such

23 purpose. The certificate shall contain on its face a complete description, vehicle
24 identification number, and other evidence of identification of the motor vehicle or
25 trailer, as the director of revenue may deem necessary, together with the
26 odometer information required to be put on the face of the certificate pursuant to
27 section 407.536, RSMo, a statement of any liens or encumbrances which the
28 application may show to be thereon, and, if ownership of the vehicle has been
29 transferred, the name of the state issuing the transferor's title and whether the
30 transferor's odometer mileage statement executed pursuant to section 407.536,
31 RSMo, indicated that the true mileage is materially different from the number of
32 miles shown on the odometer, or is unknown.

33 3. The director of revenue shall appropriately designate on the current
34 and all subsequent issues of the certificate the words "Reconstructed Motor
35 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or
36 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,
37 1990, on all original and all subsequent issues of the certificate for motor vehicles
38 as referenced in subsections 2 and 3 of section 301.020, the director shall print
39 on the face thereof the following designation: "Annual odometer updates may be
40 available from the department of revenue.". On any duplicate certificate, the
41 director of revenue shall reprint on the face thereof the most recent of either:

42 (1) The mileage information included on the face of the immediately prior
43 certificate and the date of purchase or issuance of the immediately prior
44 certificate; or

45 (2) Any other mileage information provided to the director of revenue, and
46 the date the director obtained or recorded that information.

47 4. The certificate of ownership issued by the director of revenue shall be
48 manufactured in a manner to prohibit as nearly as possible the ability to alter,
49 counterfeit, duplicate, or forge such certificate without ready detection. In order
50 to carry out the requirements of this subsection, the director of revenue may
51 contract with a nonprofit scientific or educational institution specializing in the
52 analysis of secure documents to determine the most effective methods of
53 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

54 5. The fee for each original certificate so issued shall be eight dollars and
55 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.
56 If application for the certificate is not made within thirty days after the vehicle
57 is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for
58 the first thirty days of delinquency and twenty-five dollars for each thirty days
59 of delinquency thereafter, not to exceed a total of one hundred dollars before

60 November 1, 2003, and not to exceed a total of two hundred dollars on or after
61 November 1, 2003, shall be imposed, but such penalty may be waived by the
62 director for a good cause shown. If the director of revenue learns that any person
63 has failed to obtain a certificate within thirty days after acquiring a motor vehicle
64 or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the
65 registration of all vehicles registered in the name of the person, either as sole
66 owner or as a co-owner, and shall notify the person that the cancellation will
67 remain in force until the person pays the delinquency penalty fee provided in this
68 section, together with all fees, charges and payments which he should have paid
69 in connection with the certificate of ownership and registration of the
70 vehicle. The certificate shall be good for the life of the motor vehicle or trailer so
71 long as the same is owned or held by the original holder of the certificate and
72 shall not have to be renewed annually.

73 6. Any applicant for a certificate of ownership requesting the department
74 of revenue to process an application for a certificate of ownership in an
75 expeditious manner requiring special handling shall pay a fee of five dollars in
76 addition to the regular certificate of ownership fee.

77 7. It is unlawful for any person to operate in this state a motor vehicle or
78 trailer required to be registered under the provisions of the law unless a
79 certificate of ownership has been issued as herein provided.

80 8. Before an original Missouri certificate of ownership is issued, an
81 inspection of the vehicle and a verification of vehicle identification numbers shall
82 be made by the Missouri state highway patrol on vehicles for which there is a
83 current title issued by another state if a Missouri salvage certificate of title has
84 been issued for the same vehicle but no prior inspection and verification has been
85 made in this state, except that if such vehicle has been inspected in another state
86 by a law enforcement officer in a manner comparable to the inspection process in
87 this state and the vehicle identification numbers have been so verified, the
88 applicant shall not be liable for the twenty-five dollar inspection fee if such
89 applicant submits proof of inspection and vehicle identification number
90 verification to the director of revenue at the time of the application. The
91 applicant, who has such a title for a vehicle on which no prior inspection and
92 verification have been made, shall pay a fee of twenty-five dollars for such
93 verification and inspection, payable to the director of revenue at the time of the
94 request for the application, which shall be deposited in the state treasury to the
95 credit of the state highways and transportation department fund.

96 9. Each application for an original Missouri certificate of ownership for a

97 vehicle which is classified as a reconstructed motor vehicle, specially constructed
98 motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or
99 other vehicle as required by the director of revenue shall be accompanied by a
100 vehicle examination certificate issued by the Missouri state highway patrol, or
101 other law enforcement agency as authorized by the director of revenue. The
102 vehicle examination shall include a verification of vehicle identification numbers
103 and a determination of the classification of the vehicle. The owner of a vehicle
104 which requires a vehicle examination certificate shall present the vehicle for
105 examination and obtain a completed vehicle examination certificate prior to
106 submitting an application for a certificate of ownership to the director of
107 revenue. The fee for the vehicle examination application shall be twenty-five
108 dollars and shall be collected by the director of revenue at the time of the request
109 for the application and shall be deposited in the state treasury to the credit of the
110 state highways and transportation department fund.

111 10. When an application is made for an original Missouri certificate of
112 ownership for a motor vehicle previously registered or titled in a state other than
113 Missouri or as required by section 301.020, it shall be accompanied by a current
114 inspection form certified by a duly authorized official inspection station as
115 described in chapter 307, RSMo. The completed form shall certify that the
116 manufacturer's identification number for the vehicle has been inspected, that it
117 is correctly displayed on the vehicle and shall certify the reading shown on the
118 odometer at the time of inspection. The inspection station shall collect the same
119 fee as authorized in section 307.365, RSMo, for making the inspection, and the
120 fee shall be deposited in the same manner as provided in section 307.365, RSMo.
121 If the vehicle is also to be registered in Missouri, the safety inspection required
122 in chapter 307, RSMo, and the emissions inspection required under chapter 643,
123 RSMo, shall be completed and only the fees required by section 307.365, RSMo,
124 and section 643.315, RSMo, shall be charged to the owner. This section shall not
125 apply to vehicles being transferred on a manufacturer's statement of origin.

126 11. Motor vehicles brought into this state in a wrecked or damaged
127 condition or after being towed as an abandoned vehicle pursuant to another
128 state's abandoned motor vehicle procedures shall, in lieu of the inspection
129 required by subsection 10 of this section, be inspected by the Missouri state
130 highway patrol in accordance with subsection 9 of this section. If the inspection
131 reveals the vehicle to be in a salvage or junk condition, the director shall so
132 indicate on any Missouri certificate of ownership issued for such vehicle. Any
133 salvage designation shall be carried forward on all subsequently issued

134 certificates of title for the motor vehicle.

135 12. When an application is made for an original Missouri certificate of
136 ownership for a motor vehicle previously registered or titled in a state other than
137 Missouri, and the certificate of ownership has been appropriately designated by
138 the issuing state as a reconstructed **salvage or junk** motor vehicle, motor change
139 vehicle, or specially constructed motor vehicle, the director of revenue shall
140 appropriately designate on the current Missouri and all subsequent issues of the
141 certificate of ownership the name of the issuing state and such prior designation.

142 13. When an application is made for an original Missouri certificate of
143 ownership for a motor vehicle previously registered or titled in a state other than
144 Missouri, and the certificate of ownership has been appropriately designated by
145 the issuing state as non-USA-std motor vehicle, the director of revenue shall
146 appropriately designate on the current Missouri and all subsequent issues of the
147 certificate of ownership the words "Non-USA-Std Motor Vehicle".

148 14. The director of revenue and the superintendent of the Missouri state
149 highway patrol shall make and enforce rules for the administration of the
150 inspections required by this section.

151 15. Each application for an original Missouri certificate of ownership for
152 a vehicle which is classified as a reconstructed motor vehicle, manufactured forty
153 or more years prior to the current model year, and which has a value of three
154 thousand dollars or less shall be accompanied by:

155 (1) A proper affidavit submitted by the owner explaining how the motor
156 vehicle or trailer was acquired and, if applicable, the reasons a valid certificate
157 of ownership cannot be furnished;

158 (2) Photocopies of receipts, bills of sale establishing ownership, or titles,
159 and the source of all major component parts used to rebuild the vehicle;

160 (3) A fee of one hundred fifty dollars in addition to the fees described in
161 subsection 5 of this section. Such fee shall be deposited in the state treasury to
162 the credit of the state highways and transportation department fund; and

163 (4) An inspection certificate, other than a motor vehicle examination
164 certificate required under subsection 9 of this section, completed and issued by
165 the Missouri state highway patrol, or other law enforcement agency as authorized
166 by the director of revenue. The inspection performed by the highway patrol or
167 other authorized local law enforcement agency shall include a check for stolen
168 vehicles.

169 The department of revenue shall issue the owner a certificate of ownership
170 designated with the words "Reconstructed Motor Vehicle" and deliver such

171 certificate of ownership in accordance with the provisions of this
172 chapter. Notwithstanding subsection 9 of this section, no owner of a
173 reconstructed motor vehicle described in this subsection shall be required to
174 obtain a vehicle examination certificate issued by the Missouri state highway
175 patrol.

[301.190. 1. No certificate of registration of any motor
2 vehicle or trailer, or number plate therefor, shall be issued by the
3 director of revenue unless the applicant therefor shall make
4 application for and be granted a certificate of ownership of such
5 motor vehicle or trailer, or shall present satisfactory evidence that
6 such certificate has been previously issued to the applicant for such
7 motor vehicle or trailer. Application shall be made within thirty
8 days after the applicant acquires the motor vehicle or trailer upon
9 a blank form furnished by the director of revenue and shall contain
10 the applicant's identification number, a full description of the motor
11 vehicle or trailer, the vehicle identification number, and the
12 mileage registered on the odometer at the time of transfer of
13 ownership, as required by section 407.536, RSMo, together with a
14 statement of the applicant's source of title and of any liens or
15 encumbrances on the motor vehicle or trailer, provided that for
16 good cause shown the director of revenue may extend the period of
17 time for making such application.

18 2. The director of revenue shall use reasonable diligence in
19 ascertaining whether the facts stated in such application are true
20 and shall, to the extent possible without substantially delaying
21 processing of the application, review any odometer information
22 pertaining to such motor vehicle that is accessible to the director
23 of revenue. If satisfied that the applicant is the lawful owner of
24 such motor vehicle or trailer, or otherwise entitled to have the
25 same registered in his name, the director shall thereupon issue an
26 appropriate certificate over his signature and sealed with the seal
27 of his office, procured and used for such purpose. The certificate
28 shall contain on its face a complete description, vehicle
29 identification number, and other evidence of identification of the
30 motor vehicle or trailer, as the director of revenue may deem
31 necessary, together with the odometer information required to be
32 put on the face of the certificate pursuant to section 407.536,

33 RSMo, a statement of any liens or encumbrances which the
34 application may show to be thereon, and, if ownership of the
35 vehicle has been transferred, the name of the state issuing the
36 transferor's title and whether the transferor's odometer mileage
37 statement executed pursuant to section 407.536, RSMo, indicated
38 that the true mileage is materially different from the number of
39 miles shown on the odometer, or is unknown.

40 3. The director of revenue shall appropriately designate on
41 the current and all subsequent issues of the certificate the words
42 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially
43 Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as
44 defined in section 301.010. Effective July 1, 1990, on all original
45 and all subsequent issues of the certificate for motor vehicles as
46 referenced in subsections 2 and 3 of section 301.020, the director
47 shall print on the face thereof the following designation: "Annual
48 odometer updates may be available from the department of
49 revenue.". On any duplicate certificate, the director of revenue
50 shall reprint on the face thereof the most recent of either:

51 (1) The mileage information included on the face of the
52 immediately prior certificate and the date of purchase or issuance
53 of the immediately prior certificate; or

54 (2) Any other mileage information provided to the director
55 of revenue, and the date the director obtained or recorded that
56 information.

57 4. The certificate of ownership issued by the director of
58 revenue shall be manufactured in a manner to prohibit as nearly
59 as possible the ability to alter, counterfeit, duplicate, or forge such
60 certificate without ready detection. In order to carry out the
61 requirements of this subsection, the director of revenue may
62 contract with a nonprofit scientific or educational institution
63 specializing in the analysis of secure documents to determine the
64 most effective methods of rendering Missouri certificates of
65 ownership nonalterable or noncounterfeitable.

66 5. The fee for each original certificate so issued shall be
67 eight dollars and fifty cents, in addition to the fee for registration
68 of such motor vehicle or trailer. If application for the certificate is
69 not made within thirty days after the vehicle is acquired by the

70 applicant, a delinquency penalty fee of twenty-five dollars for the
71 first thirty days of delinquency and twenty-five dollars for each
72 thirty days of delinquency thereafter, not to exceed a total of one
73 hundred dollars before November 1, 2003, and not to exceed a total
74 of two hundred dollars on or after November 1, 2003, shall be
75 imposed, but such penalty may be waived by the director for a good
76 cause shown. If the director of revenue learns that any person has
77 failed to obtain a certificate within thirty days after acquiring a
78 motor vehicle or trailer or has sold a vehicle without obtaining a
79 certificate, he shall cancel the registration of all vehicles registered
80 in the name of the person, either as sole owner or as a co-owner,
81 and shall notify the person that the cancellation will remain in
82 force until the person pays the delinquency penalty fee provided in
83 this section, together with all fees, charges and payments which he
84 should have paid in connection with the certificate of ownership
85 and registration of the vehicle. The certificate shall be good for the
86 life of the motor vehicle or trailer so long as the same is owned or
87 held by the original holder of the certificate and shall not have to
88 be renewed annually.

89 6. Any applicant for a certificate of ownership requesting
90 the department of revenue to process an application for a certificate
91 of ownership in an expeditious manner requiring special handling
92 shall pay a fee of five dollars in addition to the regular certificate
93 of ownership fee.

94 7. It is unlawful for any person to operate in this state a
95 motor vehicle or trailer required to be registered under the
96 provisions of the law unless a certificate of ownership has been
97 issued as herein provided.

98 8. Before an original Missouri certificate of ownership is
99 issued, an inspection of the vehicle and a verification of vehicle
100 identification numbers shall be made by the Missouri state highway
101 patrol on vehicles for which there is a current title issued by
102 another state if a Missouri salvage certificate of title has been
103 issued for the same vehicle but no prior inspection and verification
104 has been made in this state, except that if such vehicle has been
105 inspected in another state by a law enforcement officer in a manner
106 comparable to the inspection process in this state and the vehicle

107 identification numbers have been so verified, the applicant shall
108 not be liable for the twenty-five dollar inspection fee if such
109 applicant submits proof of inspection and vehicle identification
110 number verification to the director of revenue at the time of the
111 application. The applicant, who has such a title for a vehicle on
112 which no prior inspection and verification have been made, shall
113 pay a fee of twenty-five dollars for such verification and inspection,
114 payable to the director of revenue at the time of the request for the
115 application, which shall be deposited in the state treasury to the
116 credit of the state highways and transportation department fund.

117 9. Each application for an original Missouri certificate of
118 ownership for a vehicle which is classified as a reconstructed motor
119 vehicle, specially constructed motor vehicle, kit vehicle, motor
120 change vehicle, non-USA-std motor vehicle, or other vehicle as
121 required by the director of revenue shall be accompanied by a
122 vehicle examination certificate issued by the Missouri state
123 highway patrol, or other law enforcement agency as authorized by
124 the director of revenue. The vehicle examination shall include a
125 verification of vehicle identification numbers and a determination
126 of the classification of the vehicle. The owner of a vehicle which
127 requires a vehicle examination certificate shall present the vehicle
128 for examination and obtain a completed vehicle examination
129 certificate prior to submitting an application for a certificate of
130 ownership to the director of revenue. The fee for the vehicle
131 examination application shall be twenty-five dollars and shall be
132 collected by the director of revenue at the time of the request for
133 the application and shall be deposited in the state treasury to the
134 credit of the state highways and transportation department fund.

135 10. When an application is made for an original Missouri
136 certificate of ownership for a motor vehicle previously registered or
137 titled in a state other than Missouri or as required by section
138 301.020, it shall be accompanied by a current inspection form
139 certified by a duly authorized official inspection station as
140 described in chapter 307, RSMo. The completed form shall certify
141 that the manufacturer's identification number for the vehicle has
142 been inspected, that it is correctly displayed on the vehicle and
143 shall certify the reading shown on the odometer at the time of

144 inspection. The inspection station shall collect the same fee as
145 authorized in section 307.365, RSMo, for making the inspection,
146 and the fee shall be deposited in the same manner as provided in
147 section 307.365, RSMo. If the vehicle is also to be registered in
148 Missouri, the safety and emissions inspections required in chapter
149 307, RSMo, shall be completed and only the fees required by
150 sections 307.365 and 307.366, RSMo, shall be charged to the
151 owner. This section shall not apply to vehicles being transferred
152 on a manufacturer's statement of origin.

153 11. Motor vehicles brought into this state in a wrecked or
154 damaged condition or after being towed as an abandoned vehicle
155 pursuant to another state's abandoned motor vehicle procedures
156 shall, in lieu of the inspection required by subsection 10 of this
157 section, be inspected by the Missouri state highway patrol in
158 accordance with subsection 9 of this section. If the inspection
159 reveals the vehicle to be in a salvage or junk condition, the director
160 shall so indicate on any Missouri certificate of ownership issued for
161 such vehicle. Any salvage designation shall be carried forward on
162 all subsequently issued certificates of title for the motor vehicle.

163 12. When an application is made for an original Missouri
164 certificate of ownership for a motor vehicle previously registered or
165 titled in a state other than Missouri, and the certificate of
166 ownership has been appropriately designated by the issuing state
167 as a reconstructed motor vehicle, motor change vehicle, or specially
168 constructed motor vehicle, the director of revenue shall
169 appropriately designate on the current Missouri and all subsequent
170 issues of the certificate of ownership the name of the issuing state
171 and such prior designation.

172 13. When an application is made for an original Missouri
173 certificate of ownership for a motor vehicle previously registered or
174 titled in a state other than Missouri, and the certificate of
175 ownership has been appropriately designated by the issuing state
176 as non-USA-std motor vehicle, the director of revenue shall
177 appropriately designate on the current Missouri and all subsequent
178 issues of the certificate of ownership the words "Non-USA-Std
179 Motor Vehicle".

180 14. The director of revenue and the superintendent of the

181 Missouri state highway patrol shall make and enforce rules for the
182 administration of the inspections required by this section.

183 15. Each application for an original Missouri certificate of
184 ownership for a vehicle which is classified as a reconstructed motor
185 vehicle, manufactured forty or more years prior to the current
186 model year, and which has a value of three thousand dollars or less
187 shall be accompanied by:

188 (1) A proper affidavit submitted by the owner explaining
189 how the motor vehicle or trailer was acquired and, if applicable, the
190 reasons a valid certificate of ownership cannot be furnished;

191 (2) Photocopies of receipts, bills of sale establishing
192 ownership, or titles, and the source of all major component parts
193 used to rebuild the vehicle;

194 (3) A fee of one hundred fifty dollars in addition to the fees
195 described in subsection 5 of this section. Such fee shall be
196 deposited in the state treasury to the credit of the state highways
197 and transportation department fund; and

198 (4) An inspection certificate, other than a motor vehicle
199 examination certificate required under subsection 9 of this section,
200 completed and issued by the Missouri state highway patrol, or
201 other law enforcement agency as authorized by the director of
202 revenue. The inspection performed by the highway patrol or other
203 authorized local law enforcement agency shall include a check for
204 stolen vehicles.

205 The department of revenue shall issue the owner a certificate of
206 ownership designated with the words "Reconstructed Motor
207 Vehicle" and deliver such certificate of ownership in accordance
208 with the provisions of this chapter. Notwithstanding subsection 9
209 of this section, no owner of a reconstructed motor vehicle described
210 in this subsection shall be required to obtain a vehicle examination
211 certificate issued by the Missouri state highway patrol.]

301.196. 1. Beginning January 1, 2006, except as otherwise provided in
2 this section, the transferor of an interest in a motor vehicle or trailer listed on the
3 face of a Missouri title, excluding salvage titles and junking certificates, shall
4 notify the department of revenue of the transfer within thirty days of the date of
5 transfer. The notice shall be in a form determined by the department by rule and
6 shall contain:

- 7 (1) A description of the motor vehicle or trailer sufficient to identify it;
- 8 (2) The vehicle identification number of the motor vehicle or trailer;
- 9 (3) The name and address of the transferee;
- 10 (4) The date of birth of the transferee, unless the transferee is not a
- 11 natural person;
- 12 (5) The date of the transfer or sale;
- 13 (6) The purchase price of the motor vehicle or trailer, if applicable;
- 14 (7) The number of the transferee's drivers license, unless the transferee
- 15 does not have a drivers license;
- 16 (8) The printed name and signature of the transferee;
- 17 (9) Any other information required by the department by rule.

18 2. For purposes of giving notice under this section, if the transfer occurs
19 by operation of law, the personal representative, receiver, trustee, sheriff, or other
20 representative or successor in interest of the person whose interest is transferred
21 shall be considered the transferor. Repossession by a creditor shall not be
22 considered a transfer of ownership requiring such notice.

23 3. The requirements of this section shall not apply to transfers when there
24 is no complete change of ownership interest or upon award of ownership of a
25 motor vehicle or trailer made by court order, or transfers of ownership of a motor
26 vehicle or trailer to or between vehicle dealers, **or transfers of ownership of**
27 **a motor vehicle or trailer to an insurance company due to a theft or**
28 **casualty loss**, or transfers of beneficial ownership of a motor vehicle owned by
29 a trust.

30 4. Notification under this section is only required for transfers of
31 ownership that would otherwise require registration and an application for
32 certificate of title in this state under section 301.190, and is for informational
33 purposes only and does not constitute an assignment or release of any interest in
34 the vehicle.

35 5. Retail sales made by licensed dealers including sales of new vehicles
36 shall be reported pursuant to the provisions of section 301.280.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or
2 rebuilding, the purchaser shall forward to the director of revenue within ten days
3 the certificate of ownership or salvage certificate of title and the proper
4 application and fee of eight dollars and fifty cents, and the director shall issue a
5 negotiable salvage certificate of title to the purchaser of the salvaged vehicle. [On
6 vehicles not more than seven years old, it shall be mandatory that the purchaser
7 apply for a salvage title, but on vehicles over seven years old, application for a

8 salvage title shall be optional on the part of the purchaser.] Whenever a vehicle
9 is sold for destruction and a salvage certificate of title, junking certificate, or
10 certificate of ownership exists, the seller, if licensed under sections 301.217 to
11 301.221, shall forward the certificate to the director of revenue within ten days,
12 with the notation of the date sold for destruction and the name of the purchaser
13 clearly shown on the face of the certificate.

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010,
15 the purchaser may forward to the director of revenue the salvage certificate of
16 title or certificate of ownership and the director shall issue a negotiable junking
17 certificate to the purchaser of the vehicle. The director may also issue a junking
18 certificate to a possessor of a vehicle manufactured twenty-six years or more prior
19 to the current model year who has a bill of sale for said vehicle but does not
20 possess a certificate of ownership, provided no claim of theft has been made on
21 the vehicle and the highway patrol has by letter stated the vehicle is not listed
22 as stolen after checking the registration number through its nationwide computer
23 system. Such certificate may be granted within thirty days of the submission of
24 a request.

25 3. Upon receipt of a properly completed application for a junking
26 certificate, the director of revenue shall issue to the applicant a junking
27 certificate which shall authorize the holder to possess, transport, or, by
28 assignment, transfer ownership in such parts, scrap or junk, and a certificate of
29 title shall not again be issued for such vehicle; except that, the initial purchaser
30 shall, within ninety days, be allowed to rescind his application for a junking
31 certificate by surrendering the junking certificate and apply for a salvage
32 certificate of title in his name. The seller of a vehicle for which a junking
33 certificate has been applied for or issued shall disclose such fact in writing to any
34 prospective buyers before sale of such vehicle; otherwise the sale shall be voidable
35 at the option of the buyer.

36 4. No scrap metal operator shall acquire or purchase a motor vehicle or
37 parts thereof without, at the time of such acquisition, receiving the original
38 certificate of title or salvage certificate of title or junking certificate from the
39 seller of the vehicle or parts, unless the seller is a licensee under sections 301.219
40 to 301.221.

41 5. All titles and certificates required to be received by scrap metal
42 operators from nonlicensees shall be forwarded by the operator to the director of
43 revenue within ten days of the receipt of the vehicle or parts.

44 6. The scrap metal operator shall keep a record, for three years, of the

45 seller's name and address, the salvage business license number of the licensee,
46 date of purchase, and any vehicle or parts identification numbers open for
47 inspection as provided in section 301.225.

48 7. Notwithstanding any other provision of this section, a motor vehicle
49 dealer as defined in section 301.550 and licensed under the provisions of sections
50 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title
51 on the back thereof.

52 8. Notwithstanding the provisions of subsection 1 of this section, an
53 insurance company which settles a claim for a stolen vehicle **may apply for and**
54 shall be issued a negotiable salvage certificate of title without the payment of any
55 fee upon proper application within thirty days after settlement of the claim for
56 such stolen vehicle. However, if the insurance company upon recovery of a stolen
57 vehicle determines that the stolen vehicle has not sustained damage to the extent
58 that the vehicle would have otherwise been declared a salvage vehicle pursuant
59 to subdivision (51) of section 301.010, then the insurance company may have the
60 vehicle inspected by the Missouri state highway patrol, or other law enforcement
61 agency authorized by the director of revenue, in accordance with the inspection
62 provisions of subsection 9 of section 301.190. Upon receipt of title application,
63 applicable fee, the completed inspection, and the return of any previously issued
64 negotiable salvage certificate, the director shall issue an original title with no
65 salvage **or prior salvage** designation. Upon the issuance of an original title the
66 director shall remove any indication of the negotiable salvage title previously
67 issued to the insurance company from the department's electronic records.

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